



**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**February 23, 2005**

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Mayor David Dermer  
 Vice-Mayor Simon Cruz  
 Commissioner Matti Herrera Bower  
 Commissioner Luis R. Garcia, Jr.  
 Commissioner Saul Gross  
 Commissioner Jose Smith  
 Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
 City Attorney Murray H. Dubbin  
 City Clerk Robert E. Parcher

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### ATTENTION ALL LOBBYISTS

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney**

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|-----|-----------------------------------------------------------------------------------------------------|
| PA1 | Certificates of Appreciation/David's Café, Contributing to the Quality of Life in CMB. (Bower/Cruz) |
| PA2 | Proclamation Declaring February 2005 Black History Month. (Dermer)                                  |
| PA3 | Certificates of Appreciation/Begona F. Calcerrada & Blue Foundation for Healthy Florida. (Bower)    |
| PA4 | Certificate of Appreciation/Christina M. Cuervo, Years of Service at City of Miami Beach.           |
| PA5 | Certificate of Appreciation/Gary Knight, Years of Service on the Design Review Board. (Bower)       |
| PA6 | Proclamation/Jeffrey Motola, Officer of the Year & Distinguished Service at CMB. (Steinberg)        |
| C4A | Ref: Neighborhood/Community Affairs Committee - Mooring & Anchoring Ordinance. (Smith)              |
| C4B | Ref: Land Use & Development Committee - Long-Term Storage of PODS. (Smith)                          |
| C4C | Ref: Finance & Citywide Projects Committee - MB Community Health Center Funding. (Smith)            |
| C4D | Ref: Finance & Citywide Projects Committee - City's Plans for Street Improvements. (Smith)          |
| C4E | Ref: Planning Board - Set Standards for Additions to Buildings in Historic Districts. (Gross)       |
| C4F | Ref: Land Use & Dev. or Neighborhoods/Community Affairs - Galeria Condominium. (Gross)              |
| C4G | Ref: Neighborhood/Community Affairs Committee - Scheduling of Commission Meeting Dates.             |
| C6A | Report: Neighborhood/Community Affairs Committee Meeting of January 26, 2005.                       |
| C6B | Report: Joint Fin. & Citywide Projects/Land Use & Dev. Committee Meeting of January 27, 2005.       |
| C6C | Report: General Obligation Bond Oversight Committee Meeting of February 1, 2005.                    |
| C6D | Report: Land Use & Development Committee Meeting of February 14, 2005.                              |
| C6E | Report: Special Finance & Citywide Projects Committee Meeting of February 14, 2005.                 |
| C7A | Accept Recommendation, Streetscape & Utility Improvements in North Shore Neighborhood.              |
| C7B | Reallocate Nautilus Neighborhood Project Contingency Funds to Complete the Project.                 |
| C7C | Reallocate La Gorce Neighborhood Project Contingency Funds to Complete the Project.                 |
| C7D | Elect Commissioner Garcia as Vice-Mayor for March 1 - June 30, 2005.                                |
| C7E | Appoint Max Sklar as Director of Tourism & Cultural Development.                                    |
| C7F | Issue RFP, Provide Assistance in Determining the City's Employee Benefits Program.                  |
| C7G | Execute Change Order to The Communications Systems Agreement w/ Motorola.                           |
| C7H | Authorize Purchase of Warranty Agreement, N. Shore Park Athletic Field & Tennis Center.             |
| C7I | Set Public Hearing, Designation of Flamingo Waterway Historic District.                             |



C7J Execute a Mutual Aid Agreement w/ the Village of Miami Shores, Florida.  
C7K Execute a Mutual Aid Agreement w/ Indian Creek Village, Florida.  
C7L Approve Placement of (13) Banners for the FAB Fest Event at Bayfront Park.  
C7M Appropriate Funds, Traffic & Transportation Engineering Consulting Services in N. Beach.  
C7N Waive Bidding, Richmond Hotel Beachwalk Extension Project. 5/7  
C7O Waive Bidding, Floor Replacement for Fire Station No. 1 & 3 Project. 5/7  
C7P Submit Grant Application, Municipal Grant Program of the MPO.

#### REGULAR AGENDA

R2A Approve Purchase, Police Pursuit Vehicles & Various Trucks, \$882,309.00.

R5A 10:45 a.m. 2<sup>nd</sup> Rdg, Open/Continued, Nonconforming Structures Ordinance.  
R5B 5:01 p.m. 1<sup>st</sup> & Only Rdg, Historic Designation of 28<sup>th</sup> Street Obelisk & Pumping Station.  
R5C 5:15 p.m. 2<sup>nd</sup> Rdg, Newsracks Ordinance.  
R5D 1<sup>st</sup> Rdg, Design Review & Planning Board Composition.  
R5E 10:05 p.m. 1<sup>st</sup> Rdg, Panhandling Ordinance. (Steinberg)  
R5F 1<sup>st</sup> Rdg, Dissolve the Convention Center Capital Projects Oversight Committee. (Garcia)

R7A 10:15 a.m. Open/Continued, Approve Vacation of 5860 North Bay Road (Schindler).  
R7B W-Approve Vacation of 5900 North Bay Road (Harris/Koenigsberg)  
R7C 10:15 a.m. Open/Continued, Approve Vacation of 5480 North Bay Road (Donnelly)  
R7D 5:10 p.m. Approve Vacation of Alley, Adjacent to the Proposed 5<sup>th</sup> & Alton Road Project.  
R7E 5:00 p.m. Open/Continued, Approve Dev. Agmt w/ the New World Symphony, Parking Lot.  
R7F 5:10 p.m. Open/Continued, Approve Development Agreement for the 5<sup>th</sup> & Alton Road Project.  
R7G Issue RFP, Development of Citywide Corporate Marketing & Sponsorship Program.  
R7H 11:00 a.m. Approve Sale of City-Owned Waterfront Property at 2620 Biarritz Drive.  
R7I 4:15 p.m. Approve MDT Proposal to Provide an Enhanced Route W Service to Miami Beach.  
R7J 4:00 p.m. Approve 3<sup>rd</sup> & Final 1-Year Renewal Term of Towing Permits w/ Beach & Tremont.  
R7K Amend Resolution, Provide Funding for City Capital Renewal & Replacement Projects.  
R7L The Annual Evaluation of the City Manager.

R9A Board and Committee Appointments.  
R9A(1) Art in Public Places.  
R9A(2) Board of Adjustment.  
R9A(3) Design Review Board.  
R9A(4) Health Facilities Authority Board.  
R9A(5) Historic Preservation Board.  
R9A(6) Planning Board.  
R9A(7) Visitor and Convention Authority.  
R9A(8) G.O. Bond Oversight Committee.  
R9B 5:20 p.m. Disc. Coral Rock House at 900 Collins Avenue.

R10A Noon, Notice of Closed Executive Session: CMB v. Micky Biss & USA Express, Inc.  
R10B Noon, Notice of Closed Executive Session: Royal World Metropolitan, Inc. v. CMB.

#### REPORTS AND INFORMATIONAL ITEMS

A Parking Status Report.  
B Minutes: M-D County Homeless/Community Partnership for Homeless Joint Retreat. (Steinberg)

#### REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.

3A Appropriate Funds, Complete Construction of Parking Surface Lot at 137 Washington Avenue.  
3B Authorize Signatories, RDA Bank Accounts at Bank of America.

Meeting called to order at: 9:21:37 a.m.

Invocation given by Reverend Garth Thompson of the Miami Beach Community Church.

Pledge of Allegiance led by Chief De Lucca.

#### **Times based on the digital recording in the City Clerk's Office**







**Supplemental Materials:**

C7M (Resolution), C7N (Resolution), C7O (Resolution), R7D (Resolution and Agreement), R7H (Resolution), and R7I (Resolution)

Jorge Gonzalez, City Manager, stated that on the February 2, 2005 Commission Agenda, Commissioner Garcia had an R9 item regarding the Senior Citizens Crime Task Force. This item will be added to the next Commission Agenda. Lilia Cardillo to place on the Commission Agenda. Chief DeLuca to handle.

**Announcement:**

**10:04:29 a.m.**

Mayor Dermer, relative to the letter distributed to the City Commission, stated that at this time Mr. Biss will not be allowed to make a presentation. Discussion will be held at the appropriate time.

**Handout or Reference Materials**

1. Letter from Micky Biss to Mayor David Dermer, dated February 22, 2005 RE: Biss Tower: 120, 126, and 130 Ocean Drive – Letter handed out at the Commission Meeting

**Emergency Item:**

**10:05:12 a.m.**

**11:35:28 a.m.**

Commissioner Garcia requested that the Commissioners take a formal position on the issue of slot machines in pari-mutuel facilities since the election is taking place on March 8th. **Motion made by Commissioner Garcia to add the item to the Agenda as an emergency item; seconded by Vice-Mayor Cruz; Voice vote: 7-0.**

Discussion held.

Motion made by Commissioner Garcia for the City Commission to take a formal position opposing slot machines in pari-mutuel facilities; seconded by Commissioner Bower; Voice vote: 5-2; Opposed: Commissioners Smith and Steinberg. **Nannette Rodriguez to notify the media.**

Commissioner Steinberg stated that he is opposed not on the merit of the issue, but because he does not think it is appropriate.

**New Item:**

**10:05:47 a.m.**

Mayor Dermer recognized former Commissioner Burnett Roth and thanked him for donating part of his private historical archives to the City. He added that Mr. Roth served the Miami Beach City Commission from June 7, 1949 until June 7, 1955. He has seen this City evolve throughout the years, and this Commission is appreciative of his donation.

Burnett Roth expressed the importance of the history of Miami Beach.

Murray Dubbin, City Attorney, stated that Burnett Roth was one of the early activists in the Jewish community and one of the founders of the Anti-defamation League in Florida.

Mayor Dermer gave special recognition to Liliam Hatfield, City Clerk's Office, on her efforts in archiving historical photographs and updating the City's website.



Sheryl Gold expressed the importance of preserving historical photographs and explained that she was invited to come to the City Clerk's Office to see the archival process recently implemented. She stated that she was pleasantly surprised to see how the process works, and added that this is a "fledgling", but very positive step in developing the City's archives. Next month's marks the City's 90<sup>th</sup> birthday, and she encourages the City Commission and Administration to support the City's archival project by providing resources to proceed in a timely fashion, especially to process documents and photographs from generations like Burnett Roth's; and also to encourage citizens to donate their historic photographs at this time, as time is of the essence.

Robert Parcher, City Clerk, recognized Dr. Abraham Lavender and Carolyn Klepser, two knowledgeable individuals who have dedicated their time and effort in working with the City Clerk's Office identifying archival materials. Mr. Parcher explained the process in place in regards to the searchable database and also thanked Liliam Hatfield for the wonderful job she is doing in her spare time. He is happy to see that materials are being presented so the City's history can be preserved.

#### Handout or Reference Materials

1. Mr. Roth's biographic information

### PA - Presentations and Awards

- PA1 Certificates Of Appreciation To Be Presented To Alfredo J. Gonzalez, Adrian Gonzalez, Alejandro Gonzalez, Maria F. Gonzalez And Alfredo Gonzalez Sr. Of David's Café, For Their Contribution To The Quality Of Life In City Of Miami Beach.

(Requested by Commissioner Matti Herrera Bower & Vice-Mayor Simon Cruz)

**ACTION:** Item deferred.

**9:40:34 a.m.**

- PA2 Proclamation Declaring February 2005 Black History Month.

(Requested by Mayor David Dermer)

**ACTION:** Proclamation presented.

Mayor Dermer introduced and thanked the following City employees who have coordinated the Black History Month festivities: Nathaniel Frazier, Shirley Thomas, Samantha Hester, Arnita Hall, Deborah Hart, Steve Greene, Charles Denham, Anthony Mincy, Willie Saunders, Tamika Clear, Marie-France Andre, Mercy Williams, Barbara Williams, and Joseph Simmons. Mayor Dermer explained the background of how the Black History Month was established.

Nathaniel Frazier, Central Services, spoke.

#### Handout or Reference Materials

1. Document titled " The City is Celebrating Black History Month in Several Ways:"
2. City of Miami Beach Black History Month Celebration – "Rich Legacy for Tomorrow's Generation" Program, dated Thursday, February 24, 2005.



**9:56:19 a.m.**

PA3 Certificates Of Appreciation To Be Presented To Begona F. Calcerrada And The Blue Foundation For A Healthy Florida, And A Check To Unidad Of Miami Beach And The North Beach Health Coalition Will Be Presented.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Certificates of Appreciation and checks presented.

Commissioner Bower stated that Begonia had a vision for the children in Miami Beach and she got all the people together on this project. She stated that Begonia works hard and accomplishes what she starts.

Margarita Cepeda, Executive Director of the Hispanic Community Center and Unidad, spoke.

Susan Towler, Executive Director of the Blue Foundation, presented a check for \$80,000.

Begonia Calcerrada thanked Commissioner Bower for all her help.

Mayor Dermer stated that both Begonia and Commissioner Bower have a passion for helping the children and the elderly in Miami Beach.

Dr. Susan Katz, from Miami-Dade Community College, spoke.

**9:45:35 a.m.**

PA4 Certificate Of Appreciation To Be Presented To Christina M. Cuervo, Assistant City Manager, For Years Of Service To The City Of Miami Beach.

(City Manager's Office)

**ACTION:** Certificate of Appreciation presented.

Mayor Dermer stated that the City Manager will have to do a very able job of finding two people to replace Christina because of the great job she does.

Commissioner Gross stated that Christina is the brightest most able entrepreneurial person in the City. She has been a real able negotiator in a lot of the public/private ventures that have been negotiated. He wished her the best of luck and stated that he is glad she will not be involved in any of the matters between her employer and the City, because he would hate to have to face her on the other side because she is such a tough negotiator.

Commissioner Garcia stated that Christina has impressed him tremendously and he even nominated her for Acting City Manager in the past. He stated that replacing Christina will be the hardest task the City Manager will need to accomplish this year, after balancing the budget. He considers himself a better person for knowing Christina.

Commissioner Smith stated that he appreciates all the work Christina has done in the City; the Don Peeble's settlement, the Portofino and Related Entities settlement, the 5<sup>th</sup> and Alton Road, etc. He stated that these are very complicated legal, technical and financial issues and she made them easy to understand and to achieve the settlements in the best interest of the City. He wished her well and stated that he knows she is going to be successful.

Commissioner Bower stated that her biggest wish is that this happens a third time and that Christina will come back. She added that Christina has always been straight forward, honest and always



provided the information in a way that she could relate. She stated that she has grown to trust Christina's judgment and that it is a great loss for the City. She stated that Christina is a great role model for young women today, and that she deserves the best in business and in her personal life. She asked Christina to continue being a role model for women and to help girls be like her. She stated that Christina is a great example and more women should follow in her footsteps.

Commissioner Steinberg stated that his time as a Commissioner has been easier because he could always get straight answers from Christina; he always valued her opinions and took them into consideration when making decisions. He stated that he is glad that she will continue to be a resident of Miami Beach and will not change her cell phone. He stated that it was an honor to have her working for the City and will continue to turn to her.

Murray Dubbin, City Attorney, stated that it has been a wonderful experience working with Christina. He stated that Christina has a mind like a steel trap and watching her juggle four and five different transactions effectively has been a real eye opener. He stated that he will miss her and that she is a unique person and told her to have fun.

Robert Parcher, City Clerk, stated that he hopes she comes back. He stated that Christina does not realize how much she will be missed by her friends and coworkers. He stated that she is absolutely the best, an outstanding individual and it has been a pleasure working for her.

Jorge Gonzalez, City Manager, stated that Christina and himself made a good team; he enjoyed working with her tremendously. He stated that Christina appears to be happy with her decision and stated that she will be successful because she is doing it for the right reasons. He stated that Christina will be missed tremendously and he knows that she will be successful.

**9:34:47 a.m.**

PA5 Certificate Of Appreciation To Be Presented To Gary Knight, For His Years Of Service On The Design Review Board.

(Requested by Commissioner Matti Herrera Bower)

**ACTION:** Certificate of Appreciation presented.

Mayor Dermer stated that Gary Knight has a long and distinguished history of City activism and community service. Unfortunately he is moving and will be missed.

Commissioner Bower stated that the City of Miami Beach will miss Gary. He is usually giving input and it is usually the resident's side of the story and she supports him. He will be missed.

Gary Knight stated that he has spent one quarter of his life in the City of Miami Beach. This City is a remarkable place and he will miss it.

Commissioner Gross stated that Gary contributed greatly to the process in the Design Review Board. He stated that Gary is interested on the issues that affect the community and thanked him for all his help.

Commissioner Steinberg stated that it was a pleasure serving with him and that his leadership was outstanding.



**9:23:55 a.m.**

PA6 Proclamation To Be Presented To Jeffrey Motola, Officer Of The Year, For His Valuable And Distinguished Service To The City Of Miami Beach.  
(Requested by Commissioner Richard L. Steinberg)

**ACTION:** Proclamation presented.

Commissioner Steinberg stated that it is satisfying to see someone that went to high school with him being recognized as Police Officer of the Year for going above and beyond the call of duty.

Assistant Chief Di Censo outlined the many accomplishments of Officer Motola.

Chief De Lucca stated that he is proud that Jeff is a member of the Miami Beach Police Department.

City Clerk's note: Police Officer of the Year.

### **CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Bower to approve the Consent Agenda; seconded by Commissioner Smith; Voice vote: 7-0.

### **C4 - Commission Committee Assignments**

C4A Referral To The Neighborhood/Community Affairs Committee Meeting - An Ordinance Relating To Watercraft; Amending Chapter 66 By Enacting A New Section 66-8 Regulating The Mooring And Anchoring Of Watercraft Within The Boundaries Of The City; Prohibiting Anchoring Or Mooring For Nonnavigational Purposes; Defining Nonnavigational Purposes; Establishing A Penalty For Violation; Providing For Repealer Of All Conflicting Ordinances, Rules And Regulations; Providing For Codification And A Severance Clause; And Setting An Effective Date.  
(Requested by Commissioner Jose Smith)

**ACTION: Referred.** Vivian Guzman to place on the committee agenda. Jorge Gomez to handle.

C4B Referral To The Land Use And Development Committee - Discussion Regarding Long-Term Storage Of "PODS."  
(Requested by Commissioner Jose Smith)

**ACTION: Referred.** Jorge Gomez to place on the committee agenda. Legal Department and Jorge Gomez to handle.

Handout or Reference Materials

1. Two (2) color photographs showing PODS



**11:08:31 a.m.**

C4C Referral To The Finance And Citywide Projects Committee - Discussion Regarding Funding Assistance For The Miami Beach Community Health Center.  
(Requested by Commissioner Jose Smith)

**ACTION: Item separated for discussion by Commissioner Smith.** Motion made by Commissioner Smith to move the long term issue to the Finance and Citywide Projects Committee and to handle the short term issue by authorizing the City Manager to use funds to keep the clinics open until the end of the school year, if necessary, and that the Administration urge the Children's Trust to fund the program; seconded by Commissioner Bower; Voice vote: 7-0. Patricia Walker to place on the committee agenda. Kathie Brooks to handle.

Commissioner Smith stated that this item is a referral to discuss funding assistance for the Miami Beach Community Health Center for providing medical and nursing care to the children in Miami Beach that go to public schools. Regarding the article in the front page of *The Miami Herald* today, Commissioner Bower's presentation regarding the Miami Beach Community Health Center, and the urgency of this issue, he believes there should be a preliminary discussion today to try to identify a source and amount of funding to make sure that those clinics that serve children that would not otherwise be served by health insurance continue to receive appropriate medical care in our public schools. He stated that he has identified a source of funding of approximately \$1 million dollars which the City has set aside pursuant to the Health Facilities Authority Board which oversees the issuance of bonds by the different hospitals in this community. He asked if this is an appropriate source of funding for this project.

Commissioner Bower stated that when she received the information regarding the lack of funding she spoke to Jorge Gonzalez, City Manager. She also explained the actions which she has taken.

Mayor Dermer is concerned with taking ownership of this program and then the City having to fund it every year.

Katherine Abbate, Executive Director of the Miami Beach Community Health Center, explained the funding sources and level of services offered at each school.

Jorge Gonzalez, City Manager, stated that there is a short term issue and a long term issue. The short term issue is what do we do through the end of this school year. Miami Beach High and Feinberg-Fisher programs will continue. Nautilus Elementary was scheduled to be closed as of January 31, 2005. To keep Nautilus Elementary School funded through the end of the year is between \$12,000 to \$15, 000 a month or \$50,000 to \$60,000 for the remainder of the year. He stated that he has taken the following actions: authorized the funding for February, which was within his spending authority; he has met with the Miami-Dade County Schools Superintendent, Dr. Karp, with their grant person, and the Children's Trust to discuss the issue of funding this program until at least the end of the school year. He stated that he believes the Children's Trust has identified a mechanism to fund Nautilus through the end of the year.

Motion made by Commissioner Smith to move the long term issue to the Finance and Citywide Projects Committee and to handle the short term issue by authorizing the City Manager to use funds to keep the clinics open until the end of the school year, if necessary, and that the Administration urge the Children's Trust to fund the program.

Commissioner Bower asked that she be allowed to continue working on this because she will be attending the coalition meeting to workout the best way to handle in the future. She stressed the point that she is not looking for the City to fund the program. She is trying to bring the groups together to try to address the needs of the children in Miami Beach schools.



Commissioner Garcia also volunteered to assist in the technical aspects.

Jorge Gonzalez, City Manager, will notify the City Commission if the Children's Trust Program will work.

- C4D Referral To The Finance And Citywide Projects Committee - Discussion Regarding The City's Plans For Street Improvements.

(Requested by Commissioner Jose Smith)

**ACTION: Referred.** Patricia Walker to place on the committee agenda. Fred Beckmann and Jorge Chartrand to handle.

- C4E Referral To The Planning Board To Consider Setting Specific Standards For Additions To Buildings In Historic Districts.

(Requested by Commissioner Saul Gross)

**ACTION: Referred.** Jorge Gomez to place on the committee agenda and to handle.

- C4F Referral To The Land Use And Development Committee Or The Neighborhood/Community Affairs Committee - The Galeria Condominium's Request To Amend City Code Section 142-1134 Regarding Tennis Court And Light Restrictions Between 8:00 P.M. And 8:00 A.M.

(Requested by Commissioner Saul Gross)

**ACTION: Referred to the Land Use and Development Committee.** Jorge Gomez to place on the committee agenda and to handle.

- C4G Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding The Scheduling Of Commission Meeting Dates.

(City Clerk's Office)

**ACTION: Referred.** Vivian Guzman to place on the committee agenda. Robert Parcher to handle.



### **C6 - Commission Committee Reports**

- C6A Report Of The Neighborhood/Community Affairs Committee Meeting Of January 26, 2005: **1)** Discussion Regarding The Programming, Scheduling, And Usage Of The North Shore Park And Youth Center; And **2)** Discussion Regarding Amending Ordinance Number 2003-3411 By Amending The Restrictions On The Locations Where Panhandling Is Prohibited And Providing For Repealer, Severability, And An Effective Date.

**ACTION:**

**Item No. 1:**

Kevin Smith, Director - Parks and Recreation gave an overview of the steady growth of the North Shore Park and Youth Center since it opened in June 2004 for the summer program. Partnership has been established with Unidad to assist in the scholarship process and they are actively working to establish additional partnerships throughout the city, not just the north end.

Discussion continued.

The Committee asked that the Administration revisit the methods and policies for contracted instructors for possible improvements in cost and selection and report back at a future meeting.

**Vivian Guzman to place on a future agenda. Kevin Smith to handle.**

**Item No. 2:**

The Committee moved that the ordinance be revised by the Legal Department with the removal of items 1-4 which designates specific areas where panhandling shall be considered as unlawful. The ordinance will then be brought to the meeting of the full city commission. See R5E.

- C6B Report Of The Joint Finance And Citywide Projects Committee And The Land Use And Development Committee Meeting Of January 27, 2005: **1)** Discussion Regarding Automated External Defibrillators; **2)** Discussion Regarding The Miami-Dade Transit (MDT) Proposal To Operate The City's Local Transit Circulator System (Route W) As A South Beach Circulator; **3)** Discussion Regarding The Miami City Ballet Ground Lease And Request To Consent To Leasehold Mortgage; **4)** Discussion Regarding The Future Uses And Economic Impact Of The Jackie Gleason Theater; **5)** Discussion Regarding The Appropriation Of Funds From Gulf Breeze Loan Interest And Middle Beach Quality Of Life Funds To Provide For Change Orders, Project Contingency And Additional Services To Complete The Miami Beach Golf Course Clubhouse Project; And **6)** Discussion Regarding The Vending Machines And Corporate Sponsorship Program Request For Proposals.

**ACTION:**

**Item No. 1:**

The Joint Committees referred this item to the Neighborhood/Community Affairs Committee. **Vivian Guzman to place on the agenda. Fire Chief Jordan to handle.**

**Item No. 2:**

The Committee requested that the Miami Beach elected officials, with Commissioner Bower serving as a liaison, seek the assistance of Miami-Dade County elected officials, to make it possible for the City of Miami Beach to operate a Bi-Directional Local Transit Circulator (Route W) in South Beach in lieu of Miami-Dade Transit's proposal. **Fred Beckmann to handle.**

The Committee directed the Administration to report back to the City Commission at the February 23, 2005 regularly scheduled meeting with a summary of the discussions with Miami-Dade County and a recommendation for appropriate City action.



**Item No. 3:**

The Committee moved the item to the full Commission, recommending approval of the proposed request to consent to leasehold mortgage subject to the City's approval of the terms and conditions of the actual mortgage. **Tim Hemstreet to handle.**

**Item No. 4:**

No Action Necessary. Presentation made to the Committee.

**Item No. 5:**

The item was moved to the full Commission without a recommendation. See February 2, 2005 – R7G.

**Item No. 6:**

The Committee recommended the City reject all previously received Corporate Sponsorship RFP's; and, referred to a future Finance and Citywide Projects Committee a discussion on a Sponsorship Program. See R7G.

The Committee recommended the City issue an RFP for a vending and snack machine agreement. See February 2, 2005 - C7F

**Handout or Reference Materials**

1. Document titled "Is Your Community Heart Safe?"
2. Nine page copy of a Petition
3. Document titled "Miami City Ballet, Inc."
4. Document titled "The Future of the Jackie Gleason Theater of the Performing Arts prepared by SMG

C6C Report Of The General Obligation Bond Oversight Committee Meeting Of February 1, 2005: **1)** Contingency Report; **2)** Project Status Report: A) Fire Station No. 2; B) Fire Station No. 4; C) Normandy Isle Park And Pool; And **3)** Informational Items: A) Updated Calendar Of Scheduled Community Meetings.

**ACTION:****Item No. 1:**

The Administration informed the Committee that no new change orders had been approved since the last meeting. A list of the change orders approved to date is attached as "Exhibit A".

**Item No. 2A:**

The Administration informed the Committee that the **Fire Station No. 2** project was under construction. The contractor is preparing the site and constructing a staging area and temporary parking lot. The groundbreaking ceremony for the project was scheduled for February 2, 2005 during the lunch break in the City Commission meeting.

**Item No. 2B:**

The Committee was told that the construction of the seawall portion of the **Fire Station No. 4** project, and some foundation work on the Fire Station building was underway.

**Item No. 2C:**

With regard to the **Normandy Isle Park and Pool** project, the Administration informed the Committee that the Surety had responded to the City's second Notice of Demand, and had indicated that it would assume responsibility for completing the construction with a contractor it hires. The Administration



will continue to meet with the Surety to determine the process for selecting the replacement contractor. **Jorge Chartrand to handle.**

**Item No. 3:**

The updated calendar of community meetings was presented to the Committee, but not reviewed during the meeting.

The Committee revisited its decision to hold its meetings on the first Tuesday of the month, or as otherwise scheduled if a holiday conflicted with that day. The Committee voted and decided to hold its meetings on the first Monday of the month, or as otherwise scheduled if a holiday conflicted with that day.

The Committee held a discussion regarding the scope and purview of the Committee. Some Committee members expressed their desire to have an expanded scope, to include oversight of such issues as the City's allocation of the Miami-Dade County General Obligation Bond Funds approved by voters in November 2004, Capital Renewal and Replacement Reserve Fund, and other funding sources that relate to the projects being constructed with General Obligation Bond funds. In addition to funding oversight, these members also raised the possibility of a role involving schedules, contracts and procurement systems. Others expressed their desire to have the City Commission sunset the Committee. The Committee requested that the Administration place this topic as a discussion item on the agenda for the March 7, 2005 Committee meeting, to see if the Committee could come to a consensus as to what to request from the City Commission. **Jorge Chartrand to handle.**

- C6D Report Of The Land Use And Development Committee Meeting Of February 14, 2005: **1)** Discussion Regarding Proposed Ordinance For Elderly Housing Minimum Unit Size; And **2)** Discussion Regarding And Ordinance Amendment Defining The Parameters For Nonconforming Buildings.

**ACTION:**

**Item No. 1:**

Motion: Bower/Gross: approve in concept the proposed Ordinance and refer the draft legislation to the Planning Board. 3-0. **Jorge Gomez to place on the agenda and handle.**

**Item No. 2:**

Motion: Smith/Gross: Open & continue proposed Ordinance on February 23, 2005 and refer the additional changes to Historic Preservation Board, Design Review Board and Planning Board, further instructed the administration not to lose "zoning in progress" to the greatest extent possible. (2-0). **Jorge Gomez to handle.**

- C6E Report Of The Special Finance And Citywide Projects Committee Meeting Of February 14, 2005: **1)** Discussion Regarding The Potamkin Development Agreement.

**ACTION:**

**Item No. 1:**

The Committee recommended that the Administration and the Developer (AR&J SOBE, LLC) proceed in finalizing the Development Agreement (Agreement) negotiations. **Tim Hemstreet to handle.**



## C7 - Resolutions

- C7A A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Qualifications Received Pursuant To Request For Qualifications (RFQ) No. 41-03/04, For Urban Design, Landscape Architecture, And Engineering Services For Design, And Construction Administration Services For Streetscape And Utility Improvements In The North Shore Neighborhood; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Calvin, Giordano & Associates, Inc.; And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of APCT Engineers; And Should The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Further Authorizing The Administration To Negotiate With The Third Ranked Firm Of EAC Consulting.  
(Capital Improvement Projects)

**ACTION: Resolution No. 2005-25811 adopted.** Jorge Chartrand to handle.

Jorge Gonzalez, City Manager, stated that he received a letter from Gerald K. Schwartz as a member of the team of A & P, which was sent to Mayor Dermer and members of the City Commission, asking that the two top contenders make full presentations to the City Commission.

### Handout or Reference Materials

1. Fax letter from Gerald K. Schwartz, representing A & P, dated February 22, 2005, to Mayor Dermer and Members of the City Commission, RE: City of Miami Beach RFQ 41-03/04 for Urban, Design, Landscape Architects and Engineering Services.
2. Letters from Gus Lopez, Procurement Director, dated February 18, 2005, to Mr. Russell G. Moore, President, RMPK Group; Mr. Mariano O. Valle, H.J. Ross Associates, Inc; Mr. Ignacio Serralta, Serralta Rebull Serig, Inc.; Mr. Francisco A. Norona, Beiswenger Hoch and Associates; Mr. Robert J. Behar, R.J. Behar & Company, Inc.; Mr. Antonio G. Acosta, APCT Engineers; Mr. Michael Nardone, URS; Ms. Tammy Cook-Weedon, Calvin, Giordano & Associates, Inc.; Mr. Enrique Crooks, EAC Consulting, Inc.; and Mr. Ben H. Chen, Chen and Associates.

**10:24:38 a.m.**

- C7B A Resolution Reallocating Funds, In The Amount Of \$65,000, From The Nautilus Neighborhood Project Contingency, To Provide For Additional Services To Reynolds Smith And Hills To Complete The Design Of The Project.  
(Capital Improvement Projects)

**ACTION: Item separated for discussion by Commissioner Gross. Resolution No. 2005-25812 adopted.** Motion made by Commissioner Gross to approve the item and referred to the Finance and Citywide Projects Committee to review the level of service, what funding will be needed, how can the City secure those funds, and how to accelerate the review process and refer to the Budget Advisory Committee for the funding issues; seconded by Commissioner Smith; Voice vote: 7-0. Patricia Walker to place on the committee agenda. Kathie Brooks to place on the Budget Advisory Committee agenda. Jorge Chartrand to handle.

Commissioner Gross stated that C7B and C7C have to do with the storm water system. Both of these items were discussed at the Finance and Citywide Projects Committee. He stated that there are some very serious cost overruns in the design or documentation stage for the storm water drainage systems in both the Nautilus and La Gorce Neighborhoods. There are areas which were not anticipated during the initial Basis of Design Report (BODR). In just these two neighborhoods alone it is almost a \$5 million dollar issue in terms of cost overruns. The broader issue is how is the



City going to handle the storm water system Citywide and how short of funds are the projects and is it time to start making additional plans to start raising funds. Are projects being downsized to try to save money but is this creating a problem in the long run. Should the City consider switching from concrete to some type of vinyl lining? There are a lot of questions which need to be addressed. In this Agenda item the contractor is being asked to assume that the existing outfalls are in good condition. This may or may not be the case and could end up creating a larger problem. The second issue is time. One of the reasons for the \$5 million overrun projection is because a lot of time has gone by since the neighborhood meetings. There are thirteen neighborhoods which are part of the process. As time goes on the costs to do the improvements are going to increase. He asked again if CIP is properly staffed to handle the projects.

Jorge Gonzalez, City Manager, stated that these are valid concerns. The issues outlined by Commissioner Gross are exactly why the Administration took these two items to the Finance and Citywide Projects Committee. Regarding the issue of time, the Administration has felt that the water and sewer, and storm water project estimates, by neighborhood, are probably too short and under funded from the beginning without considering any additional costs because of time. The Administration plans to go to bid on the first neighborhood project this summer. The bid responses will give the Administration some idea of how close the estimates really are. The projects are going through the engineering component. The issue of CIP staffing was addressed during the budget process. Predominately administrative help was added to help move the projects along primarily administratively and financially. At this time there has not been enough time to determine if adding the new positions has helped. What is bogging down projects is the review processes which has been taking place in the other departments. Presently there are reviews at 30%, 60%, and 90% drawings. Tim Hemstreet was working on a way to only have one review. The concern is that when projects are bid out we know they are short funded, how is the short fall going to be addressed? There are several answers, one, get more money, the rates have capacity, two, value engineer, and three, reconsider the standards. Public Works is currently evaluating the different options and will bring it to the City Commission for discussion. This issue is consistent with the message which the Administration has been sending; a lot of the projects were under funded from the beginning and as time goes by the cost continues to increase.

Commissioner Smith stated that the CIP program, the streetscape program, and the infrastructure program are some of the most important programs the City is working on. He stated that it is not so much that the projects were under funded, but because the cost of building supplies has increased so much. If the City has funding capacity, there should be discussion not only about funding the underground utilities but also the neighborhoods. He suggested referring the discussion to the Finance and Citywide Projects Committee, the Budget Advisory Committee, and the GO Bond Oversight Committee and to proceed in a parallel track by considering value engineering and if additional money is needed, let see where the funds can come from. Discussion continued and no vote taken.

Commissioner Garcia stated that the bond issues was put together in a rush and was under funded from the beginning.

Jorge Gonzalez, City Manager, stated the GO Bond Oversight Committee is the appropriate venue for the above-ground work. The underground work is highly technical, engineering work. Ultimately it is a financial issue and the Finance and Citywide Projects Committee definitely needs to discuss the issues.

Motion made by Commissioner Smith referring the discussion to the Finance and Citywide Projects Committee to consider the alternatives in terms of level of service and additional funding. The referral was accepted by Commissioner Gross.



Commissioner Gross stated that the referral covers one of the issues, the funding issues. The funding issue should continue in parallel with the technical analysis to establish just how much money will be needed. The Finance and Citywide Projects Committee can explore what capacity the City has to raise additional money. The tougher question is time and how does the City speed up the projects. The City is now doing three different reviews of construction document (30%, 60%, and 90%) each taking three or four months. The process is too long and the costs are going up. The Administration needs to come back with specific recommendations on how to speed up the process.

Jorge Gonzalez, City Manager, stated that there are a series of recommendations that are being formulated and the appropriate venue for review and discussion of both, the money issues and how to speed up the projects, is the Finance and Citywide Projects Committee.

Commissioner Gross stated that he does not want the Administration to squeeze the contractors and the budget beyond what can be done thinking that the projects just needs to be completed with this dollar amount trying to get to a result. He stated that he doesn't understand how you can move to 60% construction documents assuming the existing outfalls will be used without testing them first. The Administration needs to be testing, for example, outflow to see if they will work. The contractor have highlighted this as a problem. Existing field conditions need to be verified.

Jorge Chartrand, CIP Acting Director, stated that wherever some of the existing outfalls are being used there is some testing and some reviewing of existing conditions, in some cases.

Vice-Mayor Cruz stated that there should be quarterly or monthly status reports to the Finance and Citywide Projects Committee. The community needs to be informed when projects are taking longer than anticipated and costing more. He stated that the G.O. Bond Oversight Committee should deal with the G.O. Bond issues and the utility projects with the experts, but the City Commission must be kept informed of the escalating prices and the status of each project. If we need a bond issue lets do it now because interest rates are going up. He requested that the issues go to the Finance and Citywide Projects Committee and bring back to the Commission with a simple solution, which show the dollars needed, timeframes, and projects completed and those that need to be done and lets get it out in the public domain.

Mayor Dermer stated that the Administration should give the G.O. Bond Oversight Committee an overview as it relates to the water, sewer and stormwater bonds. Jorge Chartrand to handle.

- C7C A Resolution Reallocating Funds, In The Amount Of \$42,000, From The La Gorce Neighborhood Project Contingency, To Provide For Additional Services To Reynolds Smith And Hills To Complete The Design Of The Project.

Capital Improvement Projects)

**ACTION: Item separated for discussion by Commissioner Gross. See discussion on item C7B. Resolution No. 2005-25813 adopted.**

- C7D A Resolution Electing Commissioner Luis R. Garcia, Jr. As Vice-Mayor For A Term Commencing On March 1, 2005, And Terminating On June 30, 2005, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.

(City Clerk's Office)

**ACTION: Resolution No. 2005-25814 adopted.** Robert Parcher to handle.



**10:19:53 a.m.**

C7E A Resolution Consenting To The Appointment Of Max Sklar As Director Of Tourism And Cultural Development.

(City Manager's Office)

**ACTION: Resolution No. 2005-25815 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Smith; Voice vote 7-0. Mayra Buttacavoli to handle.

Jorge Gonzalez, City Manager, introduced Max Sklar as Director of Tourism and Cultural Development. He stated that Max was born and raised on Miami Beach and gave a background history of his accomplishments. Max has been with the City of Miami Beach for eight years and has been acting director for almost a year.

C7F A Resolution Authorizing The Issuance Of A Request For Proposals (RFP) For Broker/Agent Services To Provide Assistance In Determining The City's Employee Benefits Program.

(Human Resources)

**ACTION: Resolution No. 2005-25816 adopted, RFQ Amended.** Gus Lopez to issue RFP. Mayra Buttacavoli to handle.

Amendment:

Under the **Evaluation Criteria:**

1. Specific Expertise regarding the Scope of the Project & expertise with Governmental similar sized Entities, i.e. Hospitals and Universities
2. Under **Minimum Requirements:**
3. Have on staff ~~a local~~ an actuary with local experience, who is a full time member of the firm.
4. Delete the 2<sup>nd</sup> sentence under No. 6 starting with: List a minimum of 10 .....

C7G A Resolution Authorizing The Mayor And City Clerk, To Execute A Change Order To The Communications System Agreement Between Motorola, Inc. And The City Of Miami Beach, Approved By The City Commission On April 30, 2003, In The Amount Of \$98,343.69, For A Total Communications System Agreement Of \$8,493,933.69, Which Will Incorporate The Following Changes: Purchase Of The Motorola, Inc. FM200 Fire Protection System Option For The Two Radio Communication Shelters (Parkview Point Condominium And Council Towers); Relocation Of The Prime Site Equipment Room To The City's 911-Dispatch Center; Relocation Of The Power-Pac Ups System Located At The Parkview Point, At The Request Of The Parkview Point Condominium Residents, To The Mechanical Equipment Room; And Addition Of A Project Extension Of Two Weeks Due To Delays Caused By Hurricanes Frances And Jeanne.

(Information Technology)

**ACTION: Resolution No. 2005-25817 adopted.** Patricia Walker to handle.

C7H A Resolution Authorizing The Purchase Of A 10-Year Warranty Agreement For The Sports Field And Court Lighting Systems At The North Shore Park Athletic Field And Tennis Center From Musco Lighting, The Sole Source Provider Of The Warranty For The Musco Lighting Equipment Installed In The Original Construction Of The North Shore Park, At A Total Cost Of \$41,300.

(Parks & Recreation)

**ACTION: Resolution No. 2005-25818 adopted.** Kevin Smith to handle.



- C7I A Resolution Setting A Public Hearing To Consider The Proposed Designation Of The Flamingo Waterway Historic District By Amending The Land Development Regulations Of The Miami Beach City Code; Amending Section 118-593, "Historic Preservation Designation"; Amending Section 118-593(E), "Delineation On Zoning Map"; Amending Section 118-593(E)(2), "Historic Preservation Districts (HPD)" By Designating The Flamingo Waterway Historic District, Consisting Of A Certain Area Which Is Generally Bounded By The Center Line Of West 47th Street To The South, The Eastern Right-Of-Way Line Of Pinetree Drive To The East, The Northern Lot Line Of 4816 Pinetree Drive To The North, The Western Lot Line Of 353 West 47th Street To The West, And The Eastern Bulkhead Lines Of The Flamingo Waterway And Lake Surprise To The Northwest, As More Particularly Described In The Ordinance.

(Planning Department)

**ACTION: Resolution No. 2005-25819 adopted.** Public Hearing scheduled for April 20, 2005. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

City Clerk's note: 30-day newspaper notice and mailers

- C7J A Resolution Authorizing The Mayor, Or His Designee, And The City Clerk To Execute A Mutual Aid Agreement With The Village Of Miami Shores, Florida, For The Purpose Of Coordinating Law Enforcement Planning, Operations, And Mutual Aid Benefit Between The City Of Miami Beach And The City Of Miami Shores.

(Police Department)

**ACTION: Resolution No. 2005-25820 adopted.** Chief De Lucca to handle.

- C7K A Resolution Authorizing The Mayor, Or His Designee, And The City Clerk To Execute A Mutual Aid Agreement With Indian Creek Village, Florida, For The Purpose Of Coordinating Law Enforcement Planning, Operations, And Mutual Aid Benefit Between The City Of Miami Beach And Indian Creek Village.

(Police Department)

**ACTION: Resolution No. 2005-25821 adopted.** Chief De Lucca to handle.

- C7L A Resolution Approving And Authorizing The Placement Of Thirteen (13) Banners For The FAB Fest Event, To Be Held Friday, March 4, 2005, At Bayfront Park, In The City Of Miami, As Requested By The Applicant At The Following Locations: Eight (8) On The Macarthur Causeway; Five (5) On The Julia Tuttle Causeway; Said Banners To Be Affixed To Light Poles In The Public Right-Of-Way; Measuring 3 Feet X 7 Feet; Having Copy And Design As Shown On The Attached Drawings; And To Be Installed And Removed In Accordance With All Other Applicable City Requirements; The Administration Further Recommends That These Banners Be Installed No Earlier Thursday, February 24 And Removed No Later Than Friday, March 4, 2005.

(Tourism & Cultural Development)

**ACTION: Resolution No. 2005-25822 adopted.** Max Sklar to handle.



**11:27:13 a.m.**

**Supplemental Materials (Resolution):**

C7M A Resolution Approving The Appropriation Of \$30,000 In Concurrency Mitigation / North Beach Funds For General Traffic And Transportation Engineering Consulting Services In North Beach.  
(Public Works)

**ACTION: Item separated for discussion by Commissioner Steinberg. Resolution 2005-25823 adopted as amended. Motion made by Commissioner Steinberg to approve the resolution with the traffic counts for North Beach at an approximate cost of \$13,844 and refer the Harding Ave issue to the Neighborhood/Community Affairs Committee; seconded by Commissioner Gross; Voice vote 7-0. Vivian Guzman to place on the committee agenda. Fred Beckmann to handle.**

**Item referred to the Neighborhood/Community Affairs Committee (See motion to reconsider).** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Voice vote: 7-0. Vivian Guzman to place on the committee agenda. Fred Beckmann to handle.

**12:04:09 p.m.**

Commissioner Steinberg stated that in the item there are traffic counts in North Beach for an approximate amount of \$13,844. He did not intend for this expenditure to be referred.

Motion made by Commissioner Steinberg to reconsider; seconded by Commissioner Gross; Voice vote 7-0.

Resolution 2005-25823 adopted as amended. Motion made by Commissioner Steinberg to approve the resolution with the traffic counts for North Beach at an approximate cost of \$13,844 and refer the Harding Ave issue to the Neighborhood/Community Affairs Committee; seconded by Commissioner Gross; Voice vote 7-0.

**Supplemental Materials (Resolution):**

C7N A Resolution Waiving, By 5/7ths Vote, Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager, Through His Designee, Who Shall Be The City's Director, Property Management Division, A Licensed General Contractor, To Select, Negotiate, And Award All Contracts, Agreements, Purchase Orders, And Change Orders For The Purchase Of All Necessary Goods And Services (Construction And Professional) Relative To The Richmond Hotel Beachwalk Extension Project; Providing That All Documents Be Reviewed By The Appropriate Members Of The Administration And City Attorney's Office, And Shall Contain Those Minimum Terms And Conditions As Set Forth In This Resolution; And Further Authorizing The Mayor And City Clerk To Execute Any And All Agreements Relative To The Aforestated Project.

(Public Works)

**ACTION: Resolution No. 2005-25824 adopted.** Fred Beckmann to handle.



**Supplemental Materials (Resolution):**

C7O A Resolution Waiving, By 5/7ths Vote, Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager, Through His Designee, Who Shall Be The City's Property Management Director, A Licensed General Contractor, To Select, Negotiate, And Award All Contracts, Agreements, Purchase Orders, And Change Orders For The Purchase Of All Necessary Goods And Services (Construction And Professional) Relative To The Structural Floor Replacement Of Fire Station #1 And Fire Station #3 Project; Providing That All Documents Be Reviewed By The Appropriate Members Of The Administration And City Attorney's Office, And Shall Contain Those Minimum Terms And Conditions As Set Forth In This Resolution; And Further Authorizing The Mayor And City Clerk To Execute Any And All Agreements Relative To The Aforestated Project.

(Public Works)

**ACTION: Resolution No. 2005-25825 adopted.** Fred Beckmann to handle.

C7P A Resolution Authorizing The Administration To Submit A Grant Application For The \$150,000 Municipal Grant Program Of The Miami-Dade County Metropolitan Planning Organization (MPO), For A Coastal Communities Transportation Master Plan Study, Which Is Estimated To Cost \$275,000; With The Understanding That, If The Grant Is Awarded, There Will Be A Shared Local Matching Fund Obligation; And That The Study Will Be Conducted By The MPO, On Behalf Of The Seven Coastal Communities Involved In The Effort.

(Public Works)

**ACTION: Resolution No. 2005-25826 adopted.** Judy Hoanshelt to submit grant applications. Patricia Walker to appropriate the funds if approved and accepted by the City. Fred Beckmann to handle.

**End of Consent Agenda****REGULAR AGENDA****R2 - Competitive Bid Reports**

**12:03:52 p.m.**

R2A Request For Approval To Purchase From Duval Ford, In The Amount Of \$882,309.00, Thirty-Five (35) 2005 Ford Crown Victoria Police Pursuit Vehicles With Safety Equipment, Two (2) 2005 Ford 500 Vehicles, One (1) 2005 Ford F-250 4x2 Crew Cab Pick-Up Truck, And One (1) 2005 Ford F-350 4x2 Flatbed Truck, Pursuant To Florida State Contract No. 04-12-0823.

(Fleet Management)

**ACTION: Award approved.** Motion made by Commissioner Gross; seconded by Commissioner Steinberg; Voice vote: 7-0. Gus Lopez to issue purchase order. Drew Terpak to handle.



**R5 - Ordinances****11:59:301 a.m.****R5A Nonconforming Structures**

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article IX, "Nonconformances," By Amending Section 118-395 To Clarify And Update Certain Terms And Descriptions, And To Provide More Defined Parameters For What Constitutes A Nonconforming Structure; By Amending Section 118-398 To Clarify And Update Certain Terms And Descriptions; By Amending Section 118-399 To Clarify And Update Certain Terms And Descriptions; By Amending Chapter 130, "Off Street Parking", Article VI, "Parking Credit System" By Amending Section 130-161, To Establish Revised Standards For Non-Conforming Structures; Providing For Repealer, Codification, Severability And An Effective Date. **10:45 a.m. Second Reading, Public Hearing**

(Planning Department)

(First Reading on February 2, 2005)

**ACTION: Public Hearing opened and continued to April 20, 2005 at 10:45 a.m. without objection.** Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

Handout or Reference Materials:

1. Notice of Ad in The Miami Herald

City Clerk's note: Based upon the number of changes suggested, the Land Use and Development Committee referred the matter back to the Planning Board, Historic Preservation Board and Design Review Board for further discussion and consideration.

**7:22:56 p.m.**

**R5B** An Ordinance Amending The Land Development Regulations Of The Miami Beach City Code; Amending Section 118-593, "Historic Preservation Designation"; Amending Section 118-593(E), "Delineation On Zoning Map"; Amending Section 118-593(E)(1), "Historic Preservation Sites (HPS)" By Designating The 28th Street Obelisk And Pumping Station As An Historic Structure To Be Known As The "28th Street Obelisk And Pumping Station Historic Structure," Located At 300 West 28th Street And Consisting Of An Area That Includes The Original 1926 Structure And Its Appurtenances, As More Particularly Described Herein; Providing That The City's Zoning Map Shall Be Amended To Include The 28th Street Obelisk And Pumping Station As An Historic Structure; Adopting The Designation Report Attached Hereto As Appendix "A"; Providing For Inclusion In The Land Development Regulations Of The City Code, Repealer, Severability, And An Effective Date.

**5:01 p.m. First And Only Reading Public Hearing**

(Planning Department)

**ACTION:** Public Hearing held. **Ordinance No. 2005-3475 adopted.** Motion made by Commissioner Garcia to adopt the Historic Preservation Board recommendation; seconded by Commissioner Bower; Ballot vote: 7-0. Jorge Gomez to handle. R. Parcher to transmit to Municipal Code Corp. Jorge Gomez to handle.

Commissioner Garcia stated that the area is still in disarray. It is even worse than before. He is very happy that the City is moving to preserve this structure. He also asked William Cary, Assistant Planning Department Director, to prepare an inventory of public monuments.

William Cary, Assistant Planning Department Director, stated that the list is prepared, and an LTC is being prepared for the City Manager for review and signature.



Commissioner Garcia commended Mr. Cary on the report he provided.

William Cary, Assistant Planning Department Director, also gave credit to Shannon Anderton, Senior Planner, who actually did extraordinary research in preparation of the report.

Handout or Reference Materials:

1. Notice of Ad in The Miami Herald
2. Letter petition requesting a swing set and perhaps an attached slide with several benches surrounded by a fence.

**7:30:56 p.m.**

Mayor Dermer recognized and thanked Carolyn Klepser, in the audience, for her hard work and time dedicated to the City's historical archives. She is a great historian and the City Commission appreciates her efforts.

**6:45:48 p.m.**

R5C An Ordinance Amending Chapter 82, Article IV, Division 3, Thereof Entitled "Newsracks" By Amending City Code Section 82-176 Entitled "Definitions" By Adding And Amending Certain Definitions; Amending Section 82-201 Entitled "Notice Of Violation Request For Hearing" By Reducing The Time Required For Notification And Amending The Method Of Notification; Amending Section 82-202 Entitled "Removal And Storage Of Newsracks" Reducing The Time Required For Notification And Time Allowed To Request A Hearing; Amending Section 82-204 Entitled "Release Of Stored Newsracks, Storage Fee, Inspection Fee" By Amending The Provisions For Return Of Stored Newsracks, And Amending Storage Fees And Reinspection Fees; Amending Section 82-205 Entitled "Unclaimed Newsracks" By Reducing The Storage Time Required Prior To Disposing Of Unclaimed Newsracks; Amending Section 82-206 Entitled "Abandoned Newsracks" Amending The Criteria For Abandoned Newsracks And Reducing The Time Required To Remove Abandoned Newsracks From The Right-Of-Way; Amending Section 82-207 Entitled "Hearings" Amending The Hearing Process; Amending Section 82-208 Entitled "Appellate Procedure After Hearings" Amending The Appellate Process; Amending Section 82-231 Entitled "Fee Letter Of Compliance Required" Modifying The Procedures And Fees For Registering Newsracks; Amending Section 82-256 Entitled "Maintenance And Installation Standards" By Amending Restrictions On The Type, Size, And Appearance Of Newsracks And Newsrack Storage Boxes And Specifications For Installing Newsracks On The Right Of Way; And Amending Section 82-257 Entitled "Placement Of Newsracks" By Amending Restrictions On The Location Of Newsracks; Providing For Codification; Severability; Repealing All Ordinances In Conflict Therewith; And Providing For An Effective Date. **5:15 p.m. Second Reading, Public Hearing.**

(Public Works)

(Continued from February 2, 2005)

**ACTION:** Public Hearing held. **Ordinance No. 2005-3476 adopted.** Motion made by Commissioner Gross; seconded by Vice-Mayor Cruz; Ballot vote: 7-0. Fred Beckmann to handle. R. Parcher to transmit to Municipal Code Corp.

Don Worth spoke.

Andrew Stark, Publisher of the SunPost spoke.



**3:28:25 p.m.**

R5D Design Review And Planning Board Composition

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures", Article II, "Boards", By Amending Section 118-53 To Modify The Requirements For The Composition Of The Planning Board And To Correct A Portion Of The Section Regarding Attendance; By Amending Section 118-72 To Modify The Requirements For The Composition Of The Design Review Board; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading**  
(Planning Department)

**ACTION: Ordinance approved on First Reading as amended.** Motion made by Commissioner Steinberg; seconded by Commissioner Bower; Ballot vote: 5-0; Absent: Vice-Mayor Cruz and Commissioner Garcia. Second Reading and Public Hearing scheduled for March 16, 2005. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

**Amendment:**

118-53 (b) "....historic preservation or the history of architecture, or a professional designer or professional urban planner,...."

118-72 (a) "....history of architecture, or a professional designer or professional urban planner,...."

Commissioner Gross stated that he would like to broaden the category and add professional urban designer or urban planner.

**11:47:59 a.m.**

R5E An Ordinance Amending Miami Beach City Code Chapter 74, Article III Thereof Entitled "Peddlers And Solicitors," Section 74-76 Through And Including Section 74-78, By Deleting Certain Definitions; Clarifying Applicability Of Article; And Deleting Certain Locations Where Panhandling Is Prohibited; Providing For Repealer, Severability, And An Effective Date. **First Reading.**  
(Requested by Vice-Mayor Richard L. Steinberg)

**ACTION: Ordinance approved on First Reading as amended.** Motion made by Commissioner Steinberg with the amendments; seconded by Commissioner Garcia; Ballot vote: 6-1; Opposed: Commissioner Bower. Second Reading and Public Hearing scheduled for March 16, 2005. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Robert Middaugh to handle.

**Amendments:**

- 1) 10 feet be amended to 20 feet in 74-78 (1), (2), and (3)
- 2) Legal Department to clarify the language between first and second reading "within the footprint" as opposed to "within the buffer."

Sheri Sack, the City's specialist on Constitutional issues, introduced the item.



**3:52:52 p.m.**

R5F An Ordinance Repealing Division 24, Entitled "Convention Center Capital Projects Oversight Committee", Of Article III, Entitled "Agencies Boards And Committees", Of Chapter 2, Entitled "Administration", Of The Miami Beach City Code In Order To Dissolve The Convention Center Capital Projects Oversight Committee; Providing For Severability, Repealer, Codification, And An Effective Date. **First Reading.**

(Requested by Commissioner Luis R. Garcia, Jr.)

**ACTION: Ordinance approved on First Reading.** Motion made by Commissioner Garcia; seconded by Commissioner Smith; Ballot vote: 6-0; Absent: Vice-Mayor Cruz. Second Reading and Public Hearing scheduled for March 16, 2005. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Legal Department to handle.

Commissioner Garcia stated that at the request of the committee chair, it is believed that this committee is no longer necessary and should be abolished.

Commissioner Bower asked if all of the committee members are in agreement. She also felt that if they are not, it is disrespectful to take action before informing them.

The Committee members need to be notified between first and second reading. **R. Parcher to handle.**

#### **R7 - Resolutions**

R7A A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, Approving And Authorizing The Vacation Of A Portion (The Southern Half) Of The West 59th Street Street-End, West Of North Bay Road, In Favor Of Roger J. Schindler And Leslie Schindler, Owners Of The Adjacent Property, Located At 5860 North Bay Road; Retaining Utility Easement Rights Within Said Vacated Portion Of The Street; Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Any And All Documents To Effectuate The Vacation, Including A Quitclaim Deed, Subject To Final Review And Approval Of Same By The City Attorney's Office. **10:15 a.m. Public Hearing**

(Public Works)

(Continued from November 10, 2004)

**ACTION: Public Hearing opened and continued to April 20, 2005 at 10:15 a.m. without objection.** Lilia Cardillo to place on the Commission Agenda. Fred Beckmann to handle.



- R7B A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, And Having Considered The City Administration's Recommendation And The Criteria For Vacating City Property And Granting Revocable Permits Pursuant To Section 82-94 Of The Miami Beach City Code, Denying The Vacation Of A Portion (The Northern Half) Of The West 59th Street Street-End, West Of North Bay Road, In Favor Of William Thomas Harris III And Richard Koenigsberg, As Trustees For The "Tom Harris Trust", As Owner Of The Adjacent Property Located At 5900 North Bay Road.

**10:15 a.m. Public Hearing**

(Public Works)

(Continued from November 10, 2004)

**(Item Withdrawn at Applicants Request)**

**ACTION: Item withdrawn.**

Handout or Reference Materials:

1. Letter from Joseph Z. Fleming to Raul J. Aguila, Esq., dated January 18, 2005, RE: Request for Vacation of the 59<sup>th</sup> St. Street End – Applicants Richard Koenigsberg & William Thomas Harris as Trustees under Trust Agreement of November 8, 2002, requesting the item be removed from the Commission Agenda until the Trustees request that it be added again.

- R7C A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, Approving And Authorizing The Vacation Of A Portion (The Southern Half) Of The West 56th Street Street-End, West Of North Bay Road, In Favor Of Mary Elizabeth Donnelly, Owner Of The Adjacent Residential Property, Located At 5480 North Bay Road; Retaining Utility Easement Rights Within Said Vacated Portion Of The Street-End; Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Any And All Documents To Effectuate The Vacation, Including A Quitclaim Deed, Subject To Final Review And Approval Of Same By The City Attorney's Office. **10:15 a.m. Public Hearing**

(Public Works)

(Continued from November 10, 2004)

**ACTION: Public Hearing opened and continued to April 20, 2005 at 10:15 a.m. without objection.** Lilia Cardillo to place on the Commission Agenda. Fred Beckmann to handle.



## Supplemental Materials (Resolution and Agreement)

**7:18:17 p.m.**

R7D A Resolution Following A Duly Noticed Public Hearing To Hear Public Comment On Same, Approving And Authorizing The Vacation Of An Alley, Containing Approximately 7,800 Square Feet And Located Adjacent To The Proposed AR & J SOBE, LLC (A/K/A Potamkin/Berkowitz) Project At 5th Street And Alton Road, In Favor Of The Applicant (And Developer Of The Project), AR & J SOBE, LLC; Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, Pursuant To Article II, Section 82-36 Through 82-40 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; Provided Further That The City's Approval Of The Aforestated Vacation Is Subject To And Contingent Upon AR & J SOBE, LLC's Satisfaction Of The Conditions Set Forth In This Resolution, And Compliance With The Terms And Conditions Of The Attached Vacation Agreement; Authorizing The Mayor And City Clerk To Execute The Attached Vacation Agreement And Any And All Documents To Effectuate The Vacation, Including A Quitclaim Deed, Subject To Final Review Of Same By The City Attorney's Office; Further Waiving, At The Request Of AR & J SOBE, LLC, The Required Vacation Application Fee, In The Amount Of \$5,000. **10:30 a.m. Public Hearing**

(Public Works)

**(This Item Will Be Heard At 5:10 p.m. With Item R7F)**

**ACTION: Public Hearing held. Resolution No. 2005-25827 adopted, Vacation Agreement amended.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 6-1; Opposed: Commissioner Gross. Fred Beckmann to handle.

Christina Cuervo, Assistant City Manager, stated that there were minor additions and changes to the Vacation Agreement and requested Raul Aguila, First Assistant City Attorney, to explain the changes.

Raul Aguila, First Assistant City Attorney, explained the changes to the Vacation Agreement which are on page five (5) of the Agreement and page 383 of the Agenda.

Christina Cuervo, Assistant City Manager, stated that there are reverters which are specified in the Vacation Agreement. The developer has an obligation to provide the City notice once they are proceeding and the City will have to elect whether to install an elevator and whether the City wants to elect to have the transit dedication area; in essence the transit facility stop, which will be an additional dedicated right-of-way that the City would obtain as part of this agreement.

## Handout or Reference Materials:

1. Notice of Ad in The Miami Herald
2. Boundary Survey of a portion of Miami Beach Brownfield area for Berkowitz Development Group
3. Email from Raul Aguila, First City Attorney, to Arnold A. Brown, dated February 23, 2005, Amending language RE: 5<sup>th</sup> & Alton



**7:33:47 p.m.**

R7E A Resolution Following A Duly Noticed Public Hearing, Approving On First Reading, In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The "Florida Local Government Development Agreement Act," A First Addendum To The Development Agreement Between The City Of Miami Beach And The New World Symphony, Dated January 5, 2004, For The Development Of A Portion Of The Surface Parking Lot, Bounded By 17th Street To The North, North Lincoln Lane To The South, Washington Avenue To The East And Pennsylvania Avenue To The West, For Construction Of An Approximately 50,000 Square Foot Educational, Performance And Internet Broadcast Facility With An Exterior Screen ("Soundspace"), And An Approximately 320-Space (+/-) Public Parking Garage Facility; Said Addendum Specifically Amending The Development Agreement, And Authorizing The Developer To Proceed With The Design And Development Of The Park Project Compromising Of: Zone 1, Comprising The Park And Drexel Avenue Between North Lincoln Lane And 17th Street, At The City's Cost And Expense, Not To Exceed \$10,000,000; Zone 2, Comprising The Jackie Gleason Theater Of The Performing Arts (TOPA) Entry Landscaping At The City's Cost And Expense, Not To Exceed \$1,150,000; And Zone 3, Comprising North Lincoln Lane Improvements, At The City's Cost And Expense, Not To Exceed \$500,000; And Further Setting The Second Public Hearing On January 12, 2005. **5:00 p.m. Public Hearing.**

(Economic Development)  
(Continued from February 2, 2005)

**ACTION: Public Hearing opened and continued to April 20, 2005 at 5:00 p.m. without objection and referred to the Finance and Citywide Projects Committee to discuss the issues listed below.** Lilia Cardillo to place on the Commission Agenda. Patricia Walker to place on the Finance and Citywide Projects committee agenda. Tim Hemstreet to handle.

City Clerk's note: Due to this timeline and the City's request for assurances that Soundspace will proceed, the parties discussed the importance of developing the project as one integrated site and as such, the importance of continuing the planning process without delay. In recognition of this, the City has requested the Architect provide a not-to-exceed estimated cost to prepare schematics of the Park culminating in a Basis of Design Report (BODR). In addition, the City and the NWS need to finalize discussions relative to the Architect's scope, to include defining the site boundaries and responsibilities relative to North Lincoln Lane. The City should then discuss and determine if it will commit to the level of funding to fund the BODR with the NWS's subsequent commitment to provide evidence of funding for Soundspace at such time before the City would proceed further in developing construction documents. Therefore, the City's only commitment, at risk, would be the funding of the BODR.



**7:19:12 p.m.**

R7F A Resolution In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The "Florida Local Government Development Agreement Act", Approving, On First Reading, A Development Agreement Between The City Of Miami Beach And AR&J SOBE, Llc (A/K/A Potamkin/Berkowitz) For The Development Of The Project, Presently Referred To As "5th And Alton", Containing Approximately 179,000 Square Feet Of Retail Area, A Supermarket; An Approximate 1070 Space Parking Garage; Park-And-Ride Transit Facility, Including An Intermodal/Transportation Component, And Surrounding Streetscape And Public Infrastructure To Serve The Project, Bounded By Lenox Avenue On East, Alton Road On West, 6th Street On North And 5th Street On The South, In Miami Beach; Further Considering, On Second (And Final) Approval Of The Development Agreement; And Further Setting, For A Time And Date Concurrent With The Second And Final Reading Of The Aforestated Development Agreement, A Public Hearing, As Required Pursuant To The City's Guidelines For The Vacation Of Public Right Of Ways And Chapter 82, Article II, Sections 82-37 Through 82-38 Of The Miami Beach City Code, To Hear Public Comment Concerning The Vacation Of The Adjacent Public Alley, Generally Located Between Alton Road And Lenox Avenue, And Containing Approximately 7,800 Square Feet Of Land, For Incorporation Into The Proposed Project. **5:10 p.m. First Public Hearing** .

(City Manager's Office)

(Continued from February 2, 2005)

**ACTION: Public Hearing opened and continued to March 16, 2005 at 5:10 p.m. without objection.** Lilia Cardillo to place on the Commission Agenda. Tim Hemstreet to handle.

**3:39:15 p.m.**

R7G A Resolution Authorizing The Issuance Of The Request For Proposals (RFP) For The Development And Implementation Of A Citywide Corporate Marketing And Sponsorship Program.  
(City Commission Request)

**ACTION: Resolution No. 2005-25828 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Smith; Voice vote: 5-0; Absent: Vice-Mayor Cruz and Commissioner Garcia. Gus Lopez to issue RFP. Robert Middaugh to handle.

Jorge Gonzalez, City Manager, stated that there was a recommendation from the Blue Ribbon Panel on Parks and Recreation to expand the efforts in the field of corporate sponsorships, to underwrite and fund activities in the Parks Department and throughout the City. He explained that while researching this issue it was found that other communities have attracted corporate sponsorships for significant amounts of money depending on the attractiveness of the city. This is a request to hire professional assistance for 1) identification of the value of our assets, and identifying and developing policies for this activity, and 2) assistance in securing agreements.

Mayor Dermer stated that this is a very good idea and should be done by the book, in a very transparent manner, since there will be a lot of scrutiny.

Commissioner Smith stated that at the Finance and Citywide Project Committees there was a discussion on the type of broker model to follow and also discussion on the fees. He stated that he would like to see this idea go forward.

Mayor Dermer commended Commissioner Smith on sending him some articles on the licensing of the name of "New York" and the amount of revenues the City of New York receives by the use of the name on products. He stated that it may be good to look into licensing "Miami Beach."



11:27:55 a.m.

**Supplemental Materials (Resolution):**

R7H A Resolution Approving The Sale, To The Highest Bidder, Of The City-Owned Waterfront Property To Be Zoned For A Single-Family Residence, Located At 2620 Biarritz Drive, Miami Beach, Florida, With The Sale Proceeds To Be Utilized For The City's Renovation Of The Normandy Shores Golf Course, Pursuant To The March 9, 2004 Special Election Ballot Question No. 7, Entitled, "Sale Of 2620 Biarritz Drive"; And Authorizing The Mayor And City Clerk To Execute The Real Estate Sales Contract By And Between The City Of Miami Beach And \_\_\_\_\_, The Highest Bidder, For The Purchase Price Of \$\_\_\_\_\_; And Further Authorizing The Mayor And City Clerk To Execute Any And All Other Documents Necessary To Close The Transaction.  
(Asset Management)

**ACTION: Resolution No. 2005-25829 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Smith; Voice vote: 7-0. Joe Damien to handle.

Joe Damien, Asset Manager, introduced and explained the item. He also stated that Fisher Auction Company was extremely professional. They did an excellent job with the marketing and were extremely responsive to the City. He recognized Luis and Larmar Fisher.

Commissioner Smith commended Commissioner Steinberg for his idea of auctioning the property. He also stated that this was handled beautifully by the Administration and the auctioneer.

Murray Dubbin, City Attorney, stated that the outside counsel, Joel Minsker, Esq., did a great job on this transaction.

A representative of Mr. Margules expressed his gratitude to the City Commission and City Manager for allowing him the opportunity to acquire the absolutely beautiful piece of property and to express his confidence in the continued success and development of the City of Miami Beach.

City Clerk's note: Mr. Margules for \$1,942,500 (\$1,850,000 high bid, plus 5% buyer's premium of \$92,500).or the back-up transaction with Mr. Romeo for \$1,916,250 (plus 5% buyer's premium).



4:20:58 p.m.

**Supplemental Materials (Resolution):**

R71 A Resolution Approving The Miami-Dade Transit (MDT) "Option C" Proposal To Provide An Enhanced Route W Service To Miami Beach; And Authorizing The Administration To Finalize The Required Interlocal Agreement Between County And City For Approval.  
(Public Works)

**ACTION: Resolution No. 2005-25830 adopted as amended.** Motion made by Commissioner Smith to approve the City Manager's recommendation and negotiate the 15 minute headways, include the termination for convenience, the ability to run the full route if the City cancels for cause, in addition to the items Mr. Barnes stated into the record; seconded by Vice-Mayor Cruz; Voice vote: 6-1; Opposed: Commissioner Garcia. Fred Beckmann to handle.

**Amendments:**

1. Weekday 8:00-10:00 a.m. / 6:00 p.m. – 1:00 a.m. - ~~20 min.~~ 15 min.
2. Weekend: 10:00 a.m. – 12:00 noon/6:00 p.m. – 1:00 a.m. - ~~20 min.~~ 15 min.

Jorge Gonzalez, City Manager, introduced the item in both English and Spanish. He stated that several years ago the City Commission directed the Administration to engage a consultant to evaluate the Electrowave service. In 2003, the City contracted with the Center for Urban Transportation Research (CUTR) from the University of South Florida. One of the recommendations of the CUTR study was to explore how to coordinate the services that the City and County provide for transit services on Miami Beach. During the last budget cycle, the City Commission directed the Administration to pursue discussions with the County to see if there was a way to provide better transit services on Miami Beach. The proposed route is a brand new route. The new route is ten miles, bi-directional 100% of the time, with a fare rate of .25 cents, operating on weekdays 8:00 a.m. to 1:00 a.m. The hours between 8:00 a.m. and 10:00 a.m. and 6:00 p.m. and 1:00 a.m. are considered off-peak hours and would operate at 20 minute headways. He stated that the City and County are negotiating to reduce the headways to 15 minutes. During weekday peak hours from 10:00 a.m. to 6:00 p.m. the headways will be 10 minutes, which is consistent with the Electrowave. On weekends the shuttle would operate from 10:00 a.m. to 1:00 a.m. and the peak times on weekends and holidays is 12:00 noon to 6:00 p.m. with 10 minute headways. For the hours between 10:00 a.m. and noon and 6:00 p.m. and 1:00 a.m., there will be 20 minute headways. Again, the City and County are negotiating to reduce the headway to 15 minutes. In comparing the proposed service level to the current Electrowave, the Electrowave currently operates between the hours of 8:00 a.m. and 1:00 a.m. on weekdays and weekends except on Sundays where service starts at 10:00 a.m. The Electrowave route is 5.6 miles, and only 42% of the route is bi-directional. The fare for the Electrowave is .25 cents. From 7:00 a.m. to 10:00 a.m. the Electrowave runs 12 minute headways and from 10:00 p.m. to 1:00 a.m. they run 15 minute headways. The "W" route is five miles, in one direction; the fare is \$1.25, Monday through Sunday from 8:00 a.m. to 8:00 p.m.; on Sundays, and from 10:00 a.m. to 8:00 p.m., with peak hours 15 minute headways and off peak hours, 9:30 a.m. to 3:00 p.m., 24 minute headways. The new route is essentially the merger of the County's new enhanced "W" route and the Electrowave. With the City's current investment of \$2,058,000 for the Electrowave service versus the County's proposed costs, the City stands to save nearly \$900,000 which can be returned back to the parking fund. He stated that the Administration is proposing Option C which is the highest level of service. The question is does the City trust the County to deliver the service level requested.

Jorge Gonzalez, City Manager, explained the above in Spanish.

Mayor Dermer acknowledged Miami-Dade County Commissioner Bruno Barreiro and stated that the question the City is facing is can the County deliver the level of service expected. He stated that, when it comes to transportation, the County has been cannibalizing the capital improvement to fund



the operation. County Mayor Alvarez, in his State of the County speech, emphasized the expanded bus service and how efficient it has become.

Commissioner Garcia stated that the County's history of mispending money is legendary. The County, because of labor contracts can't even expand their routes. The County has tied their hands at the cost of efficiency. Even if the County wanted to retreat from the "W" route because the labor contract will not allow it, the City will be pumping money into an entity that is running a deficit; the County does not have the money to run this expanded service. In addition, a lot of the complaints from the hotel leaders on Collins Avenue are because of service and to get the problems corrected has been very difficult. If there is a complaint about the Electrowave, a call is made and the problem is corrected.

Jorge Gonzalez, City Manager, stated two final points related to the interlocal agreement between the City and the County. One, from a cost perspective, in order to avoid escalating costs there will be an annual maximum escalator put into the agreement which will be no more than 3% or the CPIU (Consumer Price Index-U (all Urban Consumers) for transportation whichever is less. The City's costs are fixed and can grow no faster than 3% per year. From a service perspective, if the County cannot perform, the interlocal agreement will have clear exit clauses to allow the City to revert back to providing the current service and the County reverting to the services they were proposing to meet the Peoples' Transportation Plan (PTP) mandates. The exit clause is at the option of the City.

Commissioner Garcia stated that once the City gives the bus system to the County, the City will never get it back.

Miami-Dade County Commissioner Bruno Barreiro stated that from the County's perspective if the service can be combined and get better service it is better for everyone. To make it clear, he stated that all public transportation runs in a deficit. He stated that he is here to support this initiative and if the City enters into the agreement with the County and there are problems, to let him know. The County is doing a lot of new things with technology to improve services such as installing cameras and GPS for monitoring purposes.

Commissioner Bower asked about the small buses.

Jorge Gonzalez, City Manager, stated that the proposal contemplates the County purchasing new buses. The intent is to purchase the smaller buses similar to the ones being used throughout the County which have a low floor, automatic counters, cameras on the buses to monitor for safety and service, have wider chairs, and smaller capacity but more like the Electrowave. He explained the above in Spanish for the audience.

Mayor Dermer asked Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, if the County is pledging to give the City a better level of service, will there be no increase in fares, and will the City have the option to terminate the agreement if it is not satisfied with the level of service.

Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, introduced himself. He also agreed with all of the questions asked by Mayor Dermer. He thanked the City of Miami Beach for considering Miami-Dade Transit (MDT). He stated that the County is listening. The City of Miami Beach has opened their eyes to the quality of service which the City has grown accustomed to. The County has agreed to adopt the City's customer service policy. The County is creating a program called CSI Miami Beach, Customer Focused Service Improvements. He stated that MDT will be doing four things: 1) the new buses will be small but will also maintain the identity of the route; 2) the County will be moving to bio-diesel buses; 3) The County will manage Miami Beach's service differently by assigning a manager to the service; someone who will monitor the service and someone the City can call when there is a problem. The County will also report every month to the



City. The County will start to look at, and create uniformity with the route stops. Lastly, this will be a contract and the City will have the control. He thanked everyone for considering MDT.

Commissioner Garcia stated that the County's transportation system is almost bankrupted. The County's transportation system is in deficit by millions and millions of dollars. He stated that for him, MDT has no credibility.

Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, stated that the MDT does have a deficit which is being addressed by the County Commission. Mayor Alvarez, County Mayor, has directed the County Manager to address the deficit. He emphasized what the County has done and what is being promised in the future; added over 8 million miles of service, moved from a 700 bus system to now 916, services will be added and growing in approximately 44 million miles. The County is in the process of ordering 300 buses with an option for 600. The MDT is going to grow the system.

Commissioner Gross asked about what needs to be done to lower the headways from 20 minutes to 15 minutes.

Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, stated that through efficiencies, the MDT thinks it can be done and will make every commitment to do so, if that is the desire of the City, and he will guarantee it.

Miami-Dade County Commissioner Bruno Barreiro stated that services are bottom line in public transportation. He believes that the 15 minute headways can be delivered under Option C.

Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, stated that because of union issues he cannot respond to Commissioner Gross' question about taking over the route in its entirety if the County fails to meet its operating objectives. He did say that if it doesn't work, the County will still meet the commitments by improving the A and M routes and take the dollars to improve the "W" route and move it back to those service areas. He also stated that if it doesn't work the County will be willing to talk about the City taking over the full route.

Commissioner Smith asked how citizens can give their input and asked if there will be a liaison to interface with. In addition, will the drivers be sensitive to the needs of the community and what can the City do if it is not satisfied with a particular driver.

Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, stated that this is exactly what the CSI program is all about. The MDT will report on whatever the City wishes to monitor the services. The County is inviting this type of input. The MDT wants to make sure that the City of Miami Beach, as their customer, is satisfied with the MDT's services.

Commissioner Bower stated that perhaps the telephone number of the City's Answer Center could be displayed on the buses to encourage passengers to contact the Answer Center with their problems. She also stated that the MDT is also willing to bring the drivers to Rebecca Towers and other elderly housing areas in the City, as part of the training. She stated that she believes the MDT is trying to make this work.

Ron Barnes, Deputy Director of Operations for Miami-Dade Transit, stated that MDT is listening to the City. He stated that the MDT will be willing to sit with the union to identify drivers who are more sensitive to the needs and take them through the special training and to visit the Rebecca Towers and some of the other locations to meet the citizens.

Commissioner Garcia stated that the MDT is promising everything and isn't sure it can deliver. He



gave several examples of how current problems are not being addressed today.

Clarence Higbee spoke.  
Mike Burke spoke.  
Richard Goodman spoke.  
Erika Brigham spoke.  
Daniel Colton spoke.  
Jeff Bradley spoke.  
Mark Needle spoke.  
Hilda Valdes spoke in Spanish.  
Murray Cohen spoke.  
Robert Warren spoke.  
Angela Alonso spoke in Spanish.  
Rosalia Lope spoke.  
Marlo Courtney spoke.  
Minette Benson spoke.  
Joan Manning spoke.

Gerald Schwartz, Chairman of the Miami Beach Transportation Management Association (MBTMA), spoke.

Commissioner Gross stated that the Electrowave, as he understands it, cannot deliver the full route. What the Commission is proposing to do is to increase the service by having a new circulator that covers 10 miles, bidirectional, versus the Electrowave route which is 5.6 miles, and part bidirectional, for less money. As it is being proposed, the Electrowave is precluded, because of agreements within the County, of expanding its service. He also stated that a community process established the Bay Link route as the preferred route. As he understands it, the Electrowave is precluded by the agreement with the County to expand its service to the Bay Link route. Therefore, the Electrowave is not an option to run the route because of a previous County agreement and the County MDT union.

Judy Evans, Executive Director of MBTMA, stated that a proposal was submitted to Public Works utilizing six new diesel buses, with four electric buses with the same route and the exact same service and hours, for less money. The MBTMA was told that because of the interlocal agreement that the MBTMA could not deliver this service.

Motion made by Commissioner Smith to approve the City Manager's recommendation and negotiate the 15 minute headways, include the termination for convenience, the ability to run the full route if the City cancels for cause, in addition to the items Mr. Barnes stated into the record; seconded by Vice-Mayor Cruz.

Commissioner Garcia stated that he has worked with the County, and also the City at a level that none of the other elected officials have. He stated that the Electrowave was designed by politicians and was designed to fail partly because of the operating restrictions placed on it by the County. He stated that he believes the Commission will be doing a disservice to the citizens and he will vote against it.

Commissioner Steinberg stated that in the event the MDT does not deliver the services that the City is expecting, that the City be in a position to provide the services it needs. He requested an amendment that in the event the City Commission terminates for cause, because they are not living up to the agreement, that the City has the ability to provide the same service once it receives the buses back. Leave the termination for convenience, but add the termination for cause.

Commissioner Smith stated that this is a union issue and initially did not accept the amendment.



Commissioner Barreiro stated that he will try to see if the County Commission will support going to the next bargaining session and allowing the City to take over the route if the County fails to meet the objectives.

#### Handout or Reference Materials

1. Erica Brigham submitted a document titled "CUTR Report – University of South Florida Center for Urban Transit Research"

#### New Item

**5:00:55 p.m.**

Mayor Dermer introduced a delegation of Mayors from Haiti: Mayor Guerrier Jacki of Anse-A-Galet, Junior Jean Louis of La Gonave, and Emmanuel Lindor of Ti Goaves.

Joseph Lewis spoke. He presented a gift on behalf of the Haitian Mayors to Mayor Dermer as a token of their appreciation.

**3:47:46 p.m.**

- R7J A Resolution Approving The Third And Final One-Year Renewal Term Of The Towing Permits With Beach Towing Services, Inc. And Tremont Towing Services, Inc., Respectively; Both Terms Commencing On March 1, 2005, And Expiring On February 28, 2006.  
(Parking Department)

**ACTION: Resolution No. 2005-25831 adopted and referred to the Neighborhood/Community Affairs Committee.** Motion made by Commissioner Smith; seconded by Commissioner Bower; Voice vote: 6-0; Absent: Vice-Mayor Cruz. Vivian Guzman to place on the committee agenda. Saul Frances to handle.

Jorge Gonzalez, City Manager, introduced the item and suggested referring the issue of private towing to the Neighborhood/Community Affairs Committee to discuss possible options.

Mayor Dermer stated that he is going to vote for this now but this is the last increase that he will support.

**3:44:11 p.m.**

- R7K A Resolution Amending Resolution 2004-25697 Which Established A Capital Renewal And Replacement Fund To Provide A Dedicated Source Of Funding For City Capital Renewal And Replacement Projects That Extend The Useful Life Of General Fund Assets; Established A Procedure For Annual Appropriation Of Funds; Established A Procedure For Their Use; And Adopted The Fiscal Year (FY) 2004/05 Budget For The Fund, In The Amount Of \$1,347,070.  
(Office of Budget & Performance Improvement)

**ACTION: Resolution No. 2005-25832 adopted.** Motion made by Commissioner Gross; seconded by Commissioner Bower; Voice vote: 4-0; Absent: Vice-Mayor Cruz and Commissioners Garcia and Smith. Kathie Brooks to handle.

Kathie Brooks, Budget and Performance Improvement Director, introduced the item.

Jorge Gonzalez, City Manager, stated that this resolution establishes a criteria and funds a list of projects. This is a new item in the budget which is really forward thinking by the Commission. He



thanked the City Commission for their support.

R7L A Resolution Relating To The Annual Evaluation Of The City Manager; Receiving The City Manager's Report And Adjusting His Employment Contract Accordingly.)  
(City Manager's Office)

**(Memorandum & Resolution to be Submitted in Supplemental)**

**ACTION:** Item deferred by the Administration to the March 16. Lilia Cardillo to place on the Commission Agenda. Jorge Gonzalez to handle.

**R9 - New Business and Commission Requests**

R9A Board And Committee Appointments.  
(City Clerk's Office)

**ACTION:**

**Barrier Free Environment Committee:**

Ann Thomas	Term expires 12/31/06	Appointed by Commissioner Gross TL
12/12		

**Committee on the Homeless:**

Paul Yavis	Term expires 12/31/06	Appointed by Commissioner Cruz TL 12/10
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**Community Development Advisory Committee:**

David Lancz	Term expires 12/31/06	Appointed by Commissioner Cruz TL 12/12
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**Community Relations Board:**

Valerie Taylor	Term expires 12/31/06	Appointed by Jorge M Gonzalez TL 12/11
Octavio Zubizaretta	Term expires 12/31/06	Appointed by Jorge M Gonzalez TL 12/09

**Fine Arts Board:**

Carolina Beltran	Term expires 12/31/06	Appointed by Commissioner Cruz TL 12/12
Clark Reynolds	Term expires 12/31/06	Appointed by Commissioner Smith TL 12/12
Marie Towers	Term expires 12/31/05	Appointed by Commissioner Gross TL
12/12/		
Patricia Vega	Term expires 12/31/05	Appointed by Commissioner Cruz TL 12/12

**Loan Review Committee:**

Hope Fuller	Term expires 12/31/06	Appointed by Commissioner Smith TL 12/08
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**Public Safety Advisory Committee:**

Francisco Ruiz	Term expires 12/31/05	Appointed by Mayor Dermer TL 12/11
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**Transportation and Parking Committee:**

Shana Pearlson	Term expires 12/31/05	
Miami Beach Chamber of Commerce Representative to the Transportation and Parking Committee		

**Youth Center**

**Advisory Board:**

Spencer Eig	Term expires 12/31/06	Appointed by Commissioner Garcia TL
12/12		







R9A(1) Art In Public Places

**ACTION: No action taken.**

R9A(2) Board Of Adjustment

**ACTION: No action taken.**

R9A(3) Design Review Board

**ACTION:** Motion made by Commissioner Gross to appoint Clotilde Luce at-large; seconded by Commissioner Bower; no vote taken.

R9A(4) Health Facilities Authority Board

**ACTION: No action taken.**

R9A(5) Historic Preservation Board

**ACTION:** Motion made by Commissioner Gross to appoint Professor Jean-Francoise LeJeune to the architect vacancy; seconded by Commissioner Bower; Voice vote: 7-0. Mr. LeJeune is not a registered architect; therefore, he is not eligible for the appointment.

Handout or Reference Materials

1. Email to Mayor and Commissioners from Randall Robinson, Jr., dated February 22, 2005 RE: Historic Preservation Board

R9A(6) Planning Board

**ACTION:** Commissioner Garcia nominated Roberto Sanchez

**ACTION:** Commissioner Bower nominated Neli Santamaria

**No action taken.**

**12:05:09 p.m.**

R9A(7) Visitor And Convention Authority

**ACTION:** Motion made by Commissioner Steinberg to nominate Sid Goldin at-large; seconded by Vice-Mayor Cruz; Voice-vote: 7-0.

Handout or Reference Materials

1. Letter to Mayor and Commission from Steven Haas, Chair, VCA, dated February 22, 2005, RE: Recommending Andi Greenwald.

Motion made by Commissioner Bower to extend the current Committee members for an additional sixty (60) days; seconded by Commissioner Smith; Voice vote 7-0.

R9A(8) G.O. Bond Oversight Committee

**ACTION: No action taken.**



**6:51:27 p.m.**

R9B Discussion Regarding The Miami-Dade County Unsafe Structures Board's Action Regarding The Avery Smith Home (Coral Rock House) Located At 900 Collins Avenue  
(Planning Department)

**ACTION: Discussion held.**

**Motion made by Vice-Mayor Cruz to appeal the decision of the Unsafe Structure Board and in parallel, have Mr. Wood proceed to narrow the issues, and if they cannot be resolved, to appeal that to BORA (Board of Rules and Appeals) and the Administration to negotiate with the property owner; seconded by Commissioner Bower; Voice vote 7-0.**

Jorge Gonzalez, City Manager, introduced the item. He reported that the City Commission authorized the City to engage an engineer to try to determine if he can quantifiably and empirically give a methodology that can shore-up the building and renovate the property in a way that it can be salvaged. The City in partnership with the Dade Heritage Trust engaged Douglas Wood, PE, registered engineer, who developed a methodology, which in his professional opinion could preserve and identify a way to renovate the property. Those plans were submitted to the Building Department a couple of days before the expiration of the 30-day extension granted by the Unsafe Structures Board. The plans were reviewed by staff in the Building Department and returned as not permissible, with 18 comments, which were provided to the engineer the day of the hearing by the Unsafe Structures Board. Jorge Gonzalez made a presentation before the Unsafe Structures Board trying to convince the Board to allow Mr. Wood to meet with the Building Department to try to resolve the 18 Building Department comments. If they cannot be resolved, the City and any other applicant has the ability to pursue an appeal by the Board of Rules and Appeals of the Building Official's decision. The Unsafe Structures Board determined that saving the building was not feasible. Two actions were taken: 1) It is unfeasible to save the building and 2) a demolition order is to be issued within 60-days. He asked the City Attorney if the City Commission can appeal the decision of the Unsafe Structures Board.

Murray Dubbin, City Attorney, explained that the appeal would be to the Appellate Division of the Circuit Court.

Vice-Mayor Cruz suggested moving forward and appealing the Unsafe Structures Board's decision. Motion to appeal the Unsafe Structure Board decision; seconded by Commissioner Bower. Discussion continued.

Commissioner Gross suggested that if the applicant would stipulate, it would make sense to wait on the appeal to the Circuit Court and let the process proceed in the following order: Let the building official meet with Mr. Wood, let them narrow down the issues. If the building official doesn't believe the building can be saved and Mr. Wood does, then the Commission can appeal to BORA. Once BORA makes a decision, make a decision whether the Commission wants to appeal to the Circuit Court.

Commissioner Smith asked if the property owner is requesting a meeting with City staff and Dade Heritage Trust to formulate a compromise.

Jorge Gonzalez, City Manager, stated that the Administration will be happy to negotiate. Unfortunately the City, at this time does not know if there is a feasible alternative. The Unsafe Structures Board gives the City 30 days from the day of the written order to file an appeal; however, nothing precludes the owner within the 30-day period to seek a demolition permit, which the Building Department would be obligated to issue.



Commissioner Gross asked the Legal Department if filing the appeal to the Circuit Court prevents the Building Official from issuing a demolition permit.

Gary Held, First Assistant City Attorney, stated that the City only needs to file the notice of appeal. The Building Official should wait for the conclusion of the appeal before a demolition permit is issued. As of June 1 the rules will change because of hurricane season and an emergency demolition order could probably be issued even while an appeal is pending and stay in effect, so it is important to implement an action plan before June 1. He stated that unless there is an agreement with the property owner, any decision by BORA can also be appealed and there won't be anything resolved by June 1. The key is to try to resolve something with the property owner that is acceptable to the Building Official.

Commissioner Gross stated that should be a parallel track.

Richard Heisenbottle, President of the Dade Heritage Trust, spoke.

Jorge Gonzalez, City Manager, explained that even if Doug Wood's methodology is practical, he is not sure there is an obligation for the applicant to comply unless a compromise is reached.

**7:31:53 p.m.**

Bill Farkas, Executive Director of the Miami Design Preservation League, stated that one of Ivor Rose's partners stated after the discussion on this item, that he was going to get a demolition permit tomorrow morning. He asked if there are enough safeguards in place to make sure the dual route will not see a demolition order issued.

Jorge Gonzalez, City Manager, stated that the Legal Department will file the notice of appeal first thing Thursday morning.

City Clerk's note: See LTC 052-2005

**Handout or Reference Materials**

1. Letter to Jorge M. Gonzalez, from Kathleen Slesnick Kauffman, Executive Director, Florida Trust For Historic Preservation, dated February 22, 2005

**New Item**

**7:16:36 p.m.**

Mayor Dermer recognized Helene Dubbin and wished her a happy birthday.

**New Item:**

**3:36:20 p.m.**

**Joe Fontana, President of the Condominium Homeowner Alliance**, stated that this has been one of the greatest Boat Shows the City has had in a long time. The Police Department did a fantastic job on Collins Avenue, handling the public and the traffic. He recognized Major Allen, Captain Pelosi, Lt. Bornstein, the sergeants, and police officers. He stated that the Administration and the Police all did a fantastic job. He compliment SMG and in particular Doug Tober and staff, Kathie Johnson, and Gold Star Parking, the valet parking company and its owner, Artie Schultz. He wanted to let the Commission know that the Administration, Police and SMG did a great job.

Mayor Dermer stated he is grateful to the residents for their tolerance and patience during the Boat



Show.

### **R10 - City Attorney Reports**

**R10A Notice Of Closed Executive Session.**

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On February 23, 2005 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement Of The Following Cases:

City Of Miami Beach V. Miami-Dade County, Micky Biss And USA Express, Inc. Third District Court Of Appeal, Case No. 3D04-1589, Lower Case No. 03-682 AP

Micky Biss And USA Express, Inc. V. City Of Miami Beach. 11th Judicial Circuit Court. Case No. 04-18560 CA 11

Micky Biss And USA Express, Inc. V. City Of Miami Beach. 11th Judicial Circuit Court. Case No. 01-11865 CA 10

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, Chief Deputy City Attorney Donald Papy, First Assistant City Attorneys Debora J. Turner And Gary Held.

**ACTION: Announced and held. Upon returning from the Executive Session the City Attorney announced that they had ended.**

**R10B Notice Of Closed Executive Session.**

Pursuant To Section 286.011, Florida Statutes, A Closed Executive Session Will Be Held During Lunch Recess Of The City Commission Meeting On February 23, 2005, In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Strategy Related To Litigation Expenditures In The Following Case:

Royal World Metropolitan Inc. Vs. City Of Miami Beach, Eleventh Judicial Circuit Court, Case No. 99-17243 CA 23, (Third District Court Of Appeal, Case No. 3D02-3161, Fla. Sup. Ct. Case No. SC04-233)

The Following Individuals Will Be In Attendance: Mayor David Dermer; Members Of The Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith And Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, And First Assistant City Attorney Debora Turner.

**ACTION: Announced and held. Upon returning from the Executive Session the City Attorney announced that they had ended.**







**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
February 23, 2005**

Chairman of the Board David Dermer  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Saul Gross  
Member of the Board Jose Smith  
Member of the Board Richard L. Steinberg

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL

2. OLD BUSINESS

**12:01:23 p.m.**

3. NEW BUSINESS

- A A Resolution Of The Chairman And Members Of The Redevelopment Agency Of The City Of Miami Beach, Florida, Appropriating Additional Funds, In The Amount Of \$75,000, From The South Pointe Redevelopment Agency, In Order To Complete The Construction Of The Parking Surface Lot Located At 137 Washington Avenue.

**ACTION: Resolution No. 497-2005 adopted.** Motion made by Vice-Mayor Cruz; seconded by Commissioner Bower; Voice vote: 6-0; Absent: Commissioner Smith. Patricia Walker to appropriate the funds and Tim Hemstreet handle.

**12:03:11 p.m.**

- B A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency Authorizing Signatories To Execute Vouchers Drawing Upon Funds In The Miami Beach Redevelopment Agency Bank Accounts At Bank Of America.

**ACTION: Resolution No. 498-2005 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Commissioner Smith. Tim Hemstreet to handle.



City Clerk's note: Any two of the following specified individuals may execute an official duly prepared voucher upon funds in any of the two specified accounts on deposit at Bank of America: Jorge Gonzalez, Executive Director; and/or Timothy D. Hemstreet, Assistant Director; and/or Patricia D. Walker, Finance Director. The two accounts are South Pointe Redevelopment Checking Account No. 90-02-0000-23 and City Center/Historic Convention Village Checking Account No. 46-01-0080-50.

Meeting adjourned at 7:34:09 p.m.

**End of RDA Agenda**